

REMARKS

In its decision dated May 29, 2009, the Board of Patent Appeals and Interferences affirmed the Examiner's rejection of claims 1-17. Claim 1 is amended herein, and claims 2-17 are canceled. Claims 18-37 are newly added in this paper. Claims 1, 18, and 37 are independent claims. Applicants' previously pending independent claims, including claim 1, were previously rejected under 35 U.S.C. § 103(a) over the combination of United States Patent No. 6,367,009 ("Davis") and United States Patent No. 5,948,064 ("Bertram").

In view of the following arguments, all claims are believed to be in condition for allowance over the prior art of record. Therefore, this response is believed to be a complete response to the Office Action. However, Applicants reserve the right to set forth further arguments supporting the patentability of their claims, including the inapplicability of various references and the separate patentability of the dependent claims not explicitly addressed herein, in future papers. Further, for any instances in which the Examiner took Official Notice in the Office Action, Applicants expressly do not acquiesce to the taking of Official Notice, and respectfully request that the Examiner provide an affidavit to support the Official Notice taken in the next Office Action, as required by 37 CFR 1.104(d)(2).

Independent claims 1, 18, and 37 each recite that "the access policy is used to provide tiered access for different users to a plurality of security levels." The references previously used to rejected Applicants' independent claims do not teach or suggest this recitation. Davis teaches no more than delegating authentication processing to a middle tier server. (*E.g.*, Davis, Abstract.) Davis does not include any teaching or suggestion of "tiered access for different users." Bertram teaches selecting "authentication locations" for individual users (Bertram, col. 9, lines 3-17), not "providing tiered access for different sets of users to a plurality of security levels." Although Bertram's users may be associated with groups (Bertram, col. 9, lines 49-51), there is no teaching in Bertram of "tiered access for different sets of users." For at least these reasons, Applicants' claims are patentable over these references.

CONCLUSION

All rejections have been addressed. In view of the above, the presently pending claims are believed to be in condition for allowance. Accordingly, reconsideration and allowance are respectfully requested and the Examiner is respectfully requested to pass this application to issue. It is believed that any fees associated with the filing of this paper are identified in an accompanying transmittal. However, if any additional fees are required, they may be charged to Deposit Account 18-0013, under order number 65632-0632. To the extent necessary, a petition for extension of time under 37 C.F.R. 1.136(a) is hereby made, the fee for which should be charged against the aforementioned account.

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Respectfully submitted,

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